IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 31ST MAY 2007 / 10TH JYAISHTA 1929

Bail Appl..No. 3220 of 2007()

CC.18/2004 of J.M.F.C.,PARAPPANANGADI
CRIME NO.270/2003 OF PARAPPANANGADI POLICE STATION

.....

PETITIONER (ACCUSED)

RAJESH CHELAKKOT,
S/O.KARUNAKARAN NAIR, AGED 32,
RESIDING AT DEVI NIVAS, P.O.VALLIKUNNU,
VIA KADALUNDI NAGARAM, MALAPPURAM DISTRICT.

BY ADV. SRI.HARISH R. MENON
SRI.K.T.SHYAMKUMAR

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No.3220/2007

DATED: 31-5-2007

O R D E R

Petitioner who is the fifth accused in Crime No.270/2003 of Parappanangadi Police Station for offences punishable under Sections 143, 147, 148, 323 and 324 IPC read with section 149 I.P.C., seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C. No.18/2004 on the file of the J.F.C.M, Parappanangadi, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed after considering the explanation offered by the petitioner for his previous non-appearance.

With the above observation, this application is disposed of.

V.RAMKUMAR,
JUDGE.

mrcs